



305 BROADWAY
SUITE 700
NEW YORK, NY 10017
212 682 1853
212 682 1892 FAX
gfrank@frankllp.com
www.frankllp.com

June 3, 2021

VIA ECF & EMAIL

Hon. Paul G. Gardephe, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, NY 10007

Re: Michelo et al. v. Nat'l Collegiate Student Loan Trust 2007-2 et al., 18-CV-1781
Bifulco et al. v. Nat'l Collegiate Student Loan Trust 2004-2 et al., 18-CV-7692

Dear Judge Gardephe:

We represent Plaintiffs in the above-referenced cases. Pursuant to Part III of Your Honor's Individual Rules of Practice for Civil Cases, Plaintiffs request permission to file certain documents under seal in connection with their Motion for Class Certification (the "Motion"). Defendants all consent to this request.

Paragraph 2(c) of the Protective Order¹ entered in this litigation provides for confidential treatment of internal business documents. Defendants have relied on this provision in designating confidential certain documents produced in discovery here. Plaintiffs are relying on some such documents as exhibits to the declaration in support of their Motion.

Plaintiffs therefore request permission to file the declaration and exhibits under seal on ECF, and are contemporaneously filing these under seal per Your Honor's Individual Rules.

In addition, the brief being filed in support of the Motion contains limited references to the declaration's discussion of these exhibits. Out of caution, Plaintiffs will publicly file a copy of the brief with minimal redactions, while also filing an unredacted copy of the brief under seal. We will ensure that the Court and all Parties receive copies of all these filings.

Respectfully submitted,

/s/ Gregory A. Frank

cc: all counsel (via ECF)

¹ See Dkt. No. 92 in Case No. 18-cv-1781; Dkt No. 48 in Case No. 17-cv-7692.